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Summary James Reichert Depo Sept 14, 2011

	Page
Employed by JM Manufacturing. Corporate rep for JMM. First testimony 2001 and he has appeared as the company representative since then.	11
Agrees that he is JMM for purposes of the depositions.	12
JMM began as a company on Jan 1, 1983. At that time JMM was making transite pipe and PVC pipe.	12
Transite was the trade name for JM pipe. Which is asbestos cement pipe	15
Up until December 31, 1982 Denison and Stockton made PVC pipe and a/c pipe	15
On January 1st 1983 both plant (Denison and Stockton) still sold both PVC and A/c pipe	16
Both JM manufacturing and J/M A/C pipe were came into existence on Jan 1, 1983. Both companies operated under the same roof at Denison and at Stockton.	17
J-M A/C only made the pipe. JM A/C did not sell the pipe.	18
JMM did sell the a/c pipe	19
JMM provided purchasing services for JM A/C to buy its raw materials from 1983 to 1988.	19
JMM also agreed to provide health and safety services inside the plants for both JMM employees and JM A/C employees. JM A/C relied on JMM to provide all the health and safety for both PVC and AC pipe manufacturing.	19
Reichert knew that Johns Manville was sued for asbestos related health issues.	23
JMM came into business the next day after JM gave up running the plant, kept making the same products. There was no change in the process. JMM continued to do the exact same thing to produce PVC pipe and a/c pipe.	26
There was no difference before and after Jan 1, 1983, between how health and safety was done at the plants.	27
JMM owned both the Denison and the Stockton plants. JM A/C manufactured a/c pipe out of both.	28
On day one of JMM's existence JMM knew unequivocally that asbestos could kill people.	29
JMM knew unequivocally that asbestos could cause asbestosis, lung cancer and mesothelioma.	30
JMM knew that, based on the prior experience of the company (Johns Manville) that if asbestos levels weren't controlled then people would be susceptible to disease.	30
JMM knew that asbestos disease could develop decades after the exposure.	30-31
There are numerous employees of JM as of December 31, 1982, and they just continued as employees of JMM starting the very next day.	32
Mr Bonzo, the JM health and safety person went from being a JM employee	33

JMM knew that the installation of PVC pipe was safer than the installation of a/c pipe.	66
JMM knew that the removal of PVC pipe that was broken was safer than the removal of a/c pipe.,	66
JMM never had to sell a/c pipe to sustain its business.	67
All the JM people at headquarters were offered a job with JMM	69
All the PVC and asbestos cement pipe plants as well as the sales force, production personnel and management team went from JM to JMM.	71
Production continued just as it had before JMM ever existed.	71
Conveying to potential customers that JMM is going to put that the same products that have always been put out.	73
The principal people for JMM were from Taiwan	81
The majority of the people that were in upper management were Chinese	82
Urge sales people to substitute a/c pipe for PVC due to shortage of PVC	84
And if there had been a shortage of a/c pipe they could have substituted PVC	85
From 1983 to 1987 JMM was making between hundreds of thousands to millions of dollars a month in profit.	98
B 1987 JMM had a net worth of tens of millions of dollars, $49million.	98
JMM & JM A/C object to OSHA proposal to reduce PEL and give cost estimate to comply. The cost estimate is far less that the JMM profits being reported.	103-104
October 1983 memo JMM wants to fight ban of a/c pipe. Pipe is profitable.	105-106
1985 IH Survey at Denison shows that exposures are going up, not going down over time	109
Many locations in the Denison plant are in excess of the PEL in 1985	112-114
Reichert agrees that over time since 1983 the asbestos levels in the air should have gone down, but there are still areas where the levels still exceed the PEL by 100% or more.	
There was advance notice of IH surveys with instructions to clean areas and make sure all ventilation and ducting was in good working order.	117
Reichert, JMM's corporate rep, claims to have not known that there were repeated violations of the asbestos PEL at the up through 1988 Denison plant.	119
1988 Memo talks about the "industrial hygiene survey people" saying that housekeeping in the a/c operations is very poor. Even the survey person's equipment was contaminated by asbestos from the dust in the plant. The IH people say that they will not enter the plant for the October survey unless the areas involved have been cleaned up. Talks about endangering workers' families due to working in street clothes.	121-122
1983 memo talking about need to come up with a substitute in view of proposed ban. Reichert agrees that JMM already had a substitute in PVC	124
10/5/83 memo says that JMM does not plan to go out of the a/c pipe	126

business. Memo says a/c pipe is safe from the perspective of the end user but the end user is a person whose facility is connected to pipe that is in the ground.	
JMM was a dues paying member of AIA $10K in dues for one year.	129
January 23, 1986, letter from the EPA proposing a ban on a/c pipe and other products. JMM does not dispute the accuracy of the contents of the letter, including "no level of exposure is without risk." And that there are substitutes available.	134-135
Only the elimination of asbestos to the extent feasible will produce acceptable reduction of risks.	136
While JMM does not disagree with any of the statements in the EPA letter JMM is fighting EPA's potential ban on the products	137
January 30, 1986, memo, says that JMM will keep making a/c pipe as long as there is a viable market or we are legislated out of business.	138
From 1983 to 1986 JMM knew that the a/c pipe business was going to be limited either by a ban or adverse public opinion.	141
June 13, 1986, memo, need to move all excess a/c pipe inventory right away.	143-144
Re: selling the inventory of a/c pipe as soon as possible Reichert says that that the pipe sitting in the yard wasn't enough to do much more damage.	147
Photos of the inside of the Denison plant show asbestos piled up on surfaces and hanging in festoons. Photos of piles of asbestos and pipe waste outside the plant, not buried.	153-163
Reichert agrees that JMM exhibited a conscious disregard for the awful housekeeping conditions in the Denison plant.	169-170

CAUSE NO. 2010-41450-ASB
BEFORE THE ASBESTOS MDL PRE-TRIAL JUDGE

REBECCA ANN COLLINS, Individually and as Executrix of the Estate of CHARLES RAY COLLINS, Deceased; and BRIAN KENT COLLINS and CHARLES VINCENT COLLINS,	)	IN THE DISTRICT COURT
Plaintiffs,	)	
	)	HARRIS COUNTY, TEXAS
vs.	)	
FLOWSERVE (US), INC., et al.,	)	
Defendants.	)	
	)	11TH JUDICIAL DISTRICT

Transferred from:
CAUSE NO. CC10-03970-C

CHARLES RAY COLLINS and spouse REBECCA COLLINS,	)	IN THE COUNTY COURT
Plaintiffs,	)	
	)	AT LAW NO. 3
vs.	)	
3M COMPANY, et al.,	)	
Defendants.	)	
	)	DALLAS, TEXAS